

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 11:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

F044240 Alice M. v. Superior Court Tulare Co.; Tulare Co. Health & Human Svcs.

Cause called; Petitioner Alice M., in propria persona failed to appear, her absence deemed wavier by panel. In light of petitioners waiver, Amy Marie Costa, Deputy County Counsel, for real party waived also.

Cause ordered submitted.

Court recessed until Wednesday, February 11, 2004 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Timothy S. Buckley, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

F040475 Noroian v. Fidelity Title Insurance Co.

Cause called and argued by George Noroian, appellant in propria persona and by Scott Noble, Esq., counsel for respondent.

Cause ordered submitted.

F042178 In re Marriage of Brigitte and Merlin Marye

Cause called and argued by John Hollenback, Esq., counsel for appellant and by E.F. Cash-Dudley, Esq., counsel for respondent.

Cause ordered submitted.

F042866 Winberg et al v. Salomon Smith Barney et al.

Cause called and argued by Dawn Shock, Esq., counsel for appellant and by Stephen R. Cornwell, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, February 17, 2004 at 10:00 A.M.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F042872 In re Jose R. a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042872 In re Jose R. a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042259 People b. Abramson

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042259 People v. Abramson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042124 People v. Hollingsworth

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042124 People v. Hollingsworth

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042086 People v. Prado

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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F039731 Progressive Ambulance, Inc. et al. v. Gea Management/Liberty, Inc. et al.
The judgment is affirmed. The parties to bear their own costs on appeal. Levy, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042241 The People v. 1997 Toyota 4-Runner etc; Cervantes et al.
The judgment is affirmed. Costs on appeal to respondents. Harris, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041361 People v. Gloss
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F043901 People v. Lucero
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

Pursuant to rule 30.3, California Rules of Court, it is further ordered that the remittitur issue forthwith.

F043678 In re Angel P. et al., Minors
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041585 EDM Industries, Inc v. County of Kern et al.
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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F037262 People v. White

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F042167 People v. Molina

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042167 People v. Molina

The matter is remanded to the trial court for resentencing in accordance with the views expressed in this opinion. The trial court shall impose a one-strike law sentence of 25 years to life on count 2, 3 or 4, and shall sentence respondent Molina appropriately and in accordance with law on all other counts.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044412 People v. Enos

F044413 People v. Enos

F044414 People v. Enos

Appellant's motion to consolidate the above-entitled cases is granted.

F044444 Mario R. v. The Superior Court of Kern County; Kern Co. Dept. of Human Services

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041667 People v. Ray, Jr.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.